

UNITED STATES DISTRICT COURT  
District of Massachusetts

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Joseph Peter Schmitt, pro se., ) 2006 NOV 27 P 2:32  
Plaintiff, )  
-vs- ) USDC CASE NO. 04-100451-RWZ  
Jeffrey Smith, et al., ) DISTRICT COURT  
Defendants ) OF MASS.

AND

Joseph Peter Schmitt, pro se., )  
Plaintiff, )  
-vs- ) USDC CASE NO. 04-10717-RWZ  
Patrick Mulvey, et al., )  
Defendants. )

PLAINTIFF'S CROSS-MOTION IN OPPOSITION TO DEFENDANTS' MOTION  
TO VACATE PLAINTIFF'S INDIGENCE STATUS

Now comes the pro se, indigent plaintiff in the above captioned action with his cross-motion and opposes the defendants/appellees motion to vacate his indigency status.

Plaintiff (Schmitt) opposes the the defendants/appellees motion on the grounds of Res Judica - Specifically "ISSUE PRECLUSION".

Schmitt relies on his Memorandum of Law attached hereto.

Dated: November 22, 2006

Respectfully submitted,

  
Joseph P. Schmitt, pro se  
Nemansket Correctional Facility  
30 Administration Road  
Bridgewater, Massachusetts  
02324-3230